

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 2, 2000

DIVISION TWO

B135936 Corbi (Not for Publication)

V.

Superior Court, Los Angeles County
(Ezell, r.p.i.)

Real party in interest's demurrer is overruled and the petition for writ of mandate is granted. The temporary stay is vacated. The parties shall bear their respective costs.

Nott, Acting P.J.

We concur: Cooper, J.
Mallano, J. (Assigned)

B121585 Partridge & McIntosh, Inc. (Not for Publication)

V.

Scottsdale Insurance Company et al.

The summary judgment in favor of defendant Scottsdale Insurance Company and against insured Partridge & McIntosh, Inc. doing business as Patriot Security, Inc. is reversed. The summary adjudications of the insured's first, second and third causes of action against Scottsdale for declaratory relief, breach of contract, and breach of the implied covenant of good faith and fair dealing respectively, are also reversed. The summary adjudication of the fifth cause of action, for unfair claims practices, is affirmed. Costs to appellant.

Cooper, J.

We concur: Nott, Acting P.J.
Mallano, J. (Assigned)

DIVISION TWO (Continued)

B123105 Rockwell (Not for Publication)
v.
Lubow

The judgment in favor of defendant Dr Lubow and against plaintiff Rockwell is reversed with instructions to the trial court to vacate its order sustaining the demurrer to plaintiff's eighth cause of action, and enter an order overruling the demurrer to the eighth cause of action. The trial court's order sustaining the demurrer to the seventh cause of action without leave to amend is affirmed. Costs to plaintiff.

Cooper, J.

We concur: Boren, P.J.
 Nott, J.

DIVISION THREE

B129349 Ervin E. Duff (Not for Publication)
v.
Francise Ann Wilson

The judgment is affirmed. Respondent(s) to recover costs.

Aldrich, J.

We concur: Klein, P.J.
Schneider, J. (Assigned)

B127985 Oreste Roberto Angotti (Not for Publication)
v.
Christine Anne Perez

The judgment is affirmed. Respondent(s) to recover costs.

Aldrich, J.

We concur: Klein, P.J.
Schneider, J. (Assigned)

DIVISION THREE (Continued)

B119887 Carlton
v.
Quint

Filed order modifying opinion. (No change in the judgment)

DIVISION FOUR

B127957 Willis (Not for Publication)
v.
Litvack

The judgment is reversed and the cause is remanded for further proceedings consistent with this opinion. Appellant shall recover his costs.

Dau, J. (Assigned)

We concur: Vogel (C.S.), P.J.
Epstein, J.

B134555	Deutsch	(Not for Publication)
	v.	
	K-Tel Marketing	
B135208	Deutsch	
	v.	
	S.C.L.A.	
	K-TEL Direct Marketing	

The order granting the preliminary injunction is reversed, and the judgment of contempt is annulled. Appellant shall recover her costs.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

DIVISION FOUR (Continued)

B130855 People v. Hayes (Not for Publication)

The judgment is modified to reflect the imposition of a \$200 parole revocation fine, and, as modified, the judgment is affirmed. The superior court is directed to prepare an amended abstract of judgment accordingly.

Curry, J.

We concur: Vogel (C.S.), P.J.
Dau, J. (Assigned)

B126567 People (Not for Publication)
v.
Fernandez

The conviction for unlawful driving or taking of a vehicle (Veh. Code, § 10851, subd. (a)) is reversed. The case is remanded to the trial court for a determination of the propriety of the amendment of the information to allege the second prior conviction. If the court determines, in the exercise of its discretion, that the amendment was properly allowed, the adjudication of that prior conviction shall stand; if not, then for purposes of this case, it shall be disregarded. In either case the court shall resentence appellant. In all other respects, the judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

DIVISION FOUR (Continued)

[illegible]

The judgment is modified to reflect a \$2,000 parole revocation fine, and as modified, the judgment is affirmed. The superior court is directed to prepare an amended abstract of judgment accordingly.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

DIVISION FIVE

Court convened at 9:00 A.M.

Present: Turner, P.J., Grignon, J., Godoy Perez, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B129868 People v. Michael Grudup
B127936 People v. Raul Martinez
B133707 People v. Clayvon M.
B133586 People v. Nick Betancure
B134448 DCFS v. Soon K.
B128437 Small v. Sunset
B134130 People v. Darrin C. Jones

Argument waived, cause submitted.

B127861 PWS Inc., et al.
v.
Bruce Bradley et al.

Merits:

Argued by Maynard J. Klein for appellants and by Marina N. Vitek for respondents. Cause submitted.

DIVISION FIVE (Continued)

B133802 Lawrence Dean O'Bryan
 v.
 Franchise Tax Board

Merits:

Argued by Lawrence Dean O'Bryan, appellant in propria persona, and by Raymond B. Jue, deputy attorney general, for respondent. Cause submitted.

Court recessed.

Court reconvened at 10:00 A.M.

Present: Turner, P.J., Grignon, J., Godoy Perez, J. and Zaida G. Heraldez, Deputy Clerk.

B127097 People v. McCoy

Argument waived, cause submitted.

B121617 Cesar Diaz et al.
 v.
 Adco Equipment, Inc., et al.

Merits:

Argued by Matthew Taylor for appellants and by Judith M. Buchen for respondents. Cause submitted.

B129897 Doreen & Holly, Inc., et al.
 v.
 Westland Shopping Center, L.P., et al.

Merits:

Argued by Maurice L. Muehle for appellants and by Thomas J. Leanse for respondents. Cause submitted.

Court recessed.

DIVISION FIVE (Continued)

Court reconvened at 11:00 A.M.

Present: Grignon, J., Armstrong, J., Godoy Perez, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B132325 People v. Decatur
B130984 People v. Brian Edwards
B134820 People v. Linda Masloski

Argument waived, cause submitted.

B131600 People
 v.
 Ambrose G.
 In re Ambrose G.

Merits:
Argued by Lisa M. Bassis for appellant and no appearance for respondent.
Cause submitted.

B129612 Virgil Carter et al.
 v.
 Shirley Williams

Merits:
Argued by A. Boureaus III for appellant and by Robert L. Miller for respondents. Cause submitted.

B137074 American Golf Corporation
 v.
 Superior Court, Los Angeles County
 (Albert Becker, r.p.i.)

Merits:
Argued by Joseph P. Collins for petitioner and by Jeffrey S. Gubernick for real party in interest. Cause submitted.

DIVISION FIVE (Continued)

B135296 Edward Vasquez

v.

Superior Court, Los Angeles County

(Los Angeles County Fair Association, r.p.i.)

Merits:

Argued by Louis G. Fazzi for petitioner and by Stephen P. Pepe for real party in interest. Cause submitted.

B126419 Vernon Zimmerman

v.

Richard MacMinn et al.

Merits:

Argued by George G. Braunstein for appellant and by Ian J. Imrich for respondents. Cause submitted.

Court recessed.

Court reconvened at 1:00 P.M.

Present: Grignon, J., Armstrong, J., Godoy Perez, J. and Zaida G. Heraldez, Deputy Clerk.

B130663 Irene Clark et al.

v.

Robert L. Newman et al.

Merits:

Argued by Geraldine D. Green for appellants and by Gary K. Yano for respondents. Cause submitted.

DIVISION FIVE (Continued)

B125060 Mia Yutsu Chen
 v.
 Kuan Jung Lin

Appearances:

Wayne S. Dryden for appellant and by S. Stephanie Chen for respondent.
Argument waived, cause submitted.

B131808 Donna Baker
 v.
 Civil Service Commission of The County of Los Angeles
 Los Angeles County, Department of Children Family Services

Merits:

Argued by George L. Baugh for appellant and by Monica Mauricette,
deputy county counsel, for real party in interest. Cause submitted.

B129627 American Honda Finance Corporation
 v.
 Samuel J. Boyd et al.

Merits:

Argued by T. Scott Belden for appellants and by Daria Ann Dub Carlson
for respondent. Cause submitted.

B110117 Stern Metals, Inc.
B128429 v.
 Joseph Ash

Merits:

Argued by Robert G. Leff for appellant and by Mark S. Gottlieb for
respondent. Cause submitted.

Court adjourned.

DIVISION FIVE (Continued)

B120923 People
 v.
 Asinia Omari Jackson

Filed order denying petition for rehearing. Armstrong, J. would grant petition for rehearing and the request to publish.

B129712 People
 v.
 Gregory T. Villegas

Filed order denying petition for rehearing.

B127750 People
 v.
 Keith E. Ewing

Filed order denying petition for rehearing.

DIVISION SEVEN

B128269 Mesrobian (Not for Publication)
 v.
 Fire Insurance Exchange

The judgment is affirmed. Respondent is entitled to costs on appeal.

Lillie, P.J.

We concur: Johnson, J.
 Neal, J.

DIVISION SEVEN (Continued)

B131014 People (Not for Publication)
v.
Curry

The judgment is affirmed.

Woods, J.

We concur: Johnson, Acting P.J.
Neal, J.

B117223 People (Not for Publication)
v.
Vildosola et al.

The judgment against Vildosola is affirmed. The judgment against Jacobo is affirmed as to the child abuse charges (count 4) and reversed on all other charges, and the case is remanded so that Jacobo may be resentenced.

Neal, J.

We concur: Johnson, Acting P.J.
Woods, J.